

24549PCT/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

USA PCT National Stage Patent Application

PCT/EP2003/07245 filed July 7, 2003

Alfred von Schuckmann

Serial No.: 10/523,580



First Submission Filed: January 27, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING ON LAST PAGE

S I R:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
AND SUBMISSION OF SURCHARGE FEES, TRANSLATION, PRELIMINARY
AMENDMENT AND SIGNED DECLARATION

In response to the Office Action dated October 6, copy enclosed, respectfully submitted herewith is the signed and dated Combined Declaration of the inventors (2 pages) in compliance with 37 CFR 1.63 and 37 CFR 1.66 or 37 CFR 1.68 and 37 CFR 1.497(a) and (b), identifying the application by PCT International application no. and international filing date and with power of attorney.

Respectfully presented is also the English translation (16 pages) which is believed to be an accurate translation of the PCT/EP2003/07245 application as originally filed in the German language. This translation is requested to be used as the copy for examination purposes in the Patent Office along with the simultaneously submitted Preliminary Amendment which deletes the form of all multiple-dependent claims so multiple-dependent claims do not exist in this application. The Preliminary Amendment includes an Abstract on a separate page to be entered

simultaneously with the filing of all papers and the Preliminary Amendment IS TO BE ENTERED ON OR BEFORE before calculation of claim filing fees.

Attached is check no. 16371 in the amount of \$260.00 (namely, \$130.00 for the processing fee for providing the translation later than 30 months from the priority date (37 CFR 1.492(f)), and \$130.00 for late but timely filing of the declaration, correctly minus \$100 which the PTO erroneously over-withdrew (\$500.00 instead \$400.00) from attorney's deposit account crediting it to this case where \$400.00 for the application search fee should have been proper. Respectfully accordingly \$100 should be subtracted from the \$260 due and credited back to attorney's deposit account. \$200.00 completes the examination fee for a large entity).

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any over-payment to deposit account no. 06-0105.

12/12/2005 ATRAN1 00000114 10523580
01 FC:1617 130.00 0P
02 FC:1618 130.00 0P

Respectfully submitted,
Alfred von Schuckmann

by: _____
MARTIN A. FARBER
Attorney for Applicant
Registered Representative
Registration No. 22,345

CERTIFICATE OF MAILING UNDER 37 CFR SECTION 1.8(a)

I hereby certify that the accompanying Response to Notification of Missing Requirements under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US), signed Declaration (2 pages), English Translation, Preliminary Amendment and check no. 16371 \$260.00 are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 2, 2005.
Dated: December 2, 2005

Martin A. Farber



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/523,580	Alfred Von Schuckmann	24549PCT/US
		INTERNATIONAL APPLICATION NO.
		PCT/EP03/07245
I.A. FILING DATE		PRIORITY DATE
07/07/2003		07/29/2002

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 866 United Nations Plaza
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 New York, NY 10017

CONFIRMATION NO. 5830
 371 FORMALITIES LETTER



OC00000017044908

DUE DEC. 6, 2005

Date Mailed: 10/06/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/27/2005
- Copy of the International Search Report filed on 01/27/2005
- Copy of IPE Report filed on 01/27/2005
- Oath or Declaration filed on 01/27/2005
- Request for Immediate Examination filed on 01/27/2005
- U.S. Basic National Fees filed on 01/27/2005
- Priority Documents filed on 01/27/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$260** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*



KAREN R MCLEAN

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,580	PCT/EP03/07245	24549PCT/US

FORM PCT/DO/EO/905 (371 Formalities Notice)